

DOCKET NO.: MSFT-0672/158461.01
Application No.: 09/995,224
Office Action Dated: February 15, 2006

**PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116**

REMARKS

Claims 1-23 are pending in the present application, with claims 1, 12 and 21 being the independent claims.

In the Official Action, dated February 15, 2006, claims 1-9 and 21 stand rejected under 35 U.S.C § 101. Claims 1-4, 7, 10-12, 15-20 were also rejected under 35 U.S.C § 103(a) as allegedly unpatentable over US Publication No. 2002/0069223 A1 (Goodisman) in view of U.S. Publication No. 2002/0123912 A1 (Subramanian). Claims 21-23 were rejected under 35 U.S.C § 103(a) as allegedly obvious over Goodisman in view of Subramanian and further in view of US Publication No. 2003/0080986 (Baird). Claims 5-6 were rejected under 35 U.S.C § 103(a) as allegedly obvious over Goodisman in view of Subramanian and further in view of US Patent No. 6,222,537 (Smith). Claims 8-9 were rejected under 35 U.S.C § 103(a) as allegedly obvious over Goodisman in view of Subramanian and further in view of US Patent No. 6,122,647 (Horowitz). Claim 13 was rejected under 35 U.S.C § 103(a) as allegedly obvious over Goodisman in view of Subramanian and further in view of US Publication No. 2002/0010769 A1 (Kippenhan). Claim 14 was rejected under 35 U.S.C § 103(a) as allegedly obvious over Goodisman in view of Subramanian, in view of Kippenhan and further in view of Smith.

Rejections under 35 U.S.C. § 103

The outstanding rejections to the claims are respectfully traversed. On August 17, 2005, Applicants submitted the Declarations of inventor Jerald L. Hittle, and test lead manager for the Smart Links project Richard Gerschwiler, showing that the subject matter of the present application was invented prior to the effective date of Subramanian and Goodisman, as defined in that Section.

In consideration of the Declarations, the Official Action states, for instance, “Paragraphs 9-11 of the Gershweiler declaration attempt to show the supporting evidence of conception including the attached email thread and PowerPoint presentation slides... however, while the evidence asserts the facts exist it fails to tell what the facts are or when they occurred.” Applicants respectfully request reconsideration based on the following explanation of the Exhibits.

First, the facts establish that inventors Adrian Klein and Mario Calbucci were in possession of the present invention as of August 7, 2000, at least as represented by the PowerPoint (for which a date at least as early as August 7, 2000 is established via the email exchange).

In this regard, the PowerPoint represents the subject matter of the present invention at least as follows. For instance, with respect to claim 1, in the slide labeled “Solution 1” of the PowerPoint on page 2, a helper object (at least the “DOM parser”) is shown cooperating with the computing browsing application (Internet Explorer, or “IE 5.x”) to parse the content, wherein the helper object (at least the “DOM parser”) is not cooperating with any other content viewing application (the DOM parser is cooperating only with IE 5.x); and a recognizer (“keyword recognizer”) cooperating with said helper object (“DOM parser”) to compare said content with a predefined list of key-phrases and/or syntactic rules for recognizing key-phrase candidates (“the client side keyword database DB”).

The facts thus establish: 1) the inventors were in possession of the PowerPoint slide deck on August 7, 2000 and 2) the PowerPoint slide deck represents the claimed invention.

Accordingly, Applicants respectfully submit that the present invention was conceived at least as early as the PowerPoint slide deck date of August 7, 2000. Accordingly, without

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conceding the propriety of the substance of the outstanding rejections under § 103,
Applicants respectfully request reconsideration of the Office's position concerning removal
of the Subramanian and Goodisman as references applicable to the outstanding claims.

Reconsideration and withdrawal of the rejections to claims 1-23 under 35 U.S.C. §
103(a) is thus earnestly requested.

CONCLUSION

Applicants believe that the present Amendment is responsive to each of the points
raised by the Examiner in the Office Action, and submit that Claims 1-23 of the application
are in condition for allowance. Favorable consideration and passage to issue of the
application at the Examiner's earliest convenience is earnestly solicited.

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